

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT  
SOUTHERN DIVISION

LILY YONKER, a Minor by her  
Next Friend ROBERT HOVER,

Plaintiff,

USDC Case No. 22-CV-10624

vs.

ADIDAS-SALOMON AG;  
REEBOK INTERNATIONAL LIMITED;  
AUTHENTIC BRANDS GROUP; ICON  
HEALTH & FITNESS, INC., and IFIT  
HEALTH & FITNESS, f/k/a ICON  
HEALTH & FITNESS, INC.,

Defendants.

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EDWARD J. HIGGINS (P46143)  
PLUNKETT COONEY  
Attorney for Defendants Reebok  
International Limited; Authentic Brands  
Group; ICON Health & Fitness, Inc. and  
IFIT Health & Fitness  
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**NOTICE OF FILING NOTICE OF REMOVAL**

TO: B.A. Tyler, Esq.  
Attorney for Plaintiff

Clerk of the Court  
Oakland County Circuit Court

**PLEASE TAKE NOTICE** that Defendants Reebok International Limited, Authentic Brands Group, ICON Health & Fitness, Inc. and iFIT Health & Fitness, Inc., by and through their attorneys, Plunkett Cooney, have this day filed their Notice of Removal, copies of which

are attached hereto, in the offices of the Clerk of the United States District Court, Eastern District of Michigan, Southern Division, at Theodore Levin United States Courthouse, 231 W. Lafayette Blvd., Detroit, MI 48226.

PLUNKETT COONEY

/s/Edward J. Higgins

Edward J. Higgins (P46143)  
Attorney for Defendants Reebok  
International Limited; Authentic Brands  
Group; ICON Health & Fitness, Inc. and  
iFIT Health & Fitness, Inc.  
150 West Jefferson – Suite 800  
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Dated: March 24, 2022

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FOR THE EASTERN DISTRICT  
SOUTHERN DIVISION

LILY YONKER, a Minor by her  
Next Friend ROBERT HOVER,

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EDWARD J. HIGGINS (P46143)  
PLUNKETT COONEY  
Attorney for Defendants Reebok  
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Group; ICON Health & Fitness, Inc. and  
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**NOTICE OF REMOVAL OF CAUSE TO THE  
UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION**

TO: The United States District Court  
Judges of the Above Court

Defendants Reebok International Limited, Authentic Brands Group, ICON Health & Fitness, Inc. and iFIT Health & Fitness, Inc. (hereinafter, collectively, “Defendants”), by and through their attorneys, Plunkett Cooney, pursuant to 28 U.S.C.A. §1332, 1441 and 1446,

hereby files this Notice of Removal of the above-captioned matter to the United States District Court for the Eastern District of Michigan, from the Oakland County Circuit Court where the action is now pending and states as follows:

1. The above-captioned matter was filed in Oakland County Circuit Court on or about January 28, 2022, and is now pending in that court.

2. Defendants ICON Health & Fitness, Inc. and iFIT Health & Fitness, Inc. (hereinafter, collectively, "ICON") first received a copy of the Summons and Complaint in this matter on February 24, 2022. Defendant Reebok International Limited (hereinafter "Reebok") first received a copy of the Summons and Complaint in this matter on February 28, 2022. Defendant Authentic Brands Group (hereinafter "ABG") first received a copy of the Summons and Complaint in this matter on March 3, 2022.

3. The above-captioned matter is a suit at common law of a civil nature brought by the Plaintiff, Lily Yonker, a Minor by her Next Friend, Robert Hover, in which the Plaintiff seeks to recover damages for personal injuries alleged to have been suffered on or about April 21, 2017, as a result of Defendants' alleged breaches of duties and gross negligence.

4. The above-captioned matter involves a controversy which is wholly between citizens of different states in that, at the time of the commencement of this action in Oakland County Circuit Court, Plaintiff was a citizen of the State of Michigan; Defendants ICON were and still are incorporated under the laws of the State of Delaware, and having their principal place of business in the State of Utah; Defendant Reebok was and still is incorporated under the laws of the State of Massachusetts, and having its principal place of business in the State of Massachusetts; and Defendant ABG was and still is incorporated under the laws of the

State of Delaware, and having its principal place of business in the State of New York. None of the Defendants are citizens of the state in which the above-captioned matter was filed.

5. It is not possible to obtain the consent of Defendant Adidas-Salomon AG as it has not been properly served with process in this matter and, upon information and belief, is no longer in existence or capable of being served.

6. This action is one over which the District Courts of the United States are given original jurisdiction.

7. The time within which Defendants are required to file this Notice of Removal in order to remove this action to this court has not yet expired.

8. Plaintiff seeks to recover money damages for what she claims to be serious and permanent injuries, including third degree friction burn with surrounding second degree friction burn and permanent scarring, along with physical pain and suffering.

9. Based upon the allegations in Plaintiff's Complaint, it is believed that the amount in controversy in this action is in excess of \$75,000, exclusive of interest and costs in this matter.

10. Pursuant to 28 U.S.C. §1446(a), Defendants file with this notice a copy of all process, pleadings and orders served upon Defendants in this action (**Exhibit A, Summons and Complaint**).

11. This action is removable to this Court under and by virtue of the acts of Congress of the United States.

12. Defendants have served written notice of the filing of this notice as required by 28 U.S.C. § 1446(d).

13. A copy of this notice will be filed with the Clerk of the Oakland County Circuit Court as required by 28 U.S.C. § 1446(d).

**WHEREFORE,** Defendants request that this action proceed in this Court as an action properly removed.

PLUNKETT COONEY

/s/Edward J. Higgins

Edward J. Higgins (P46143)

Attorney for Defendants Reebok  
International Limited; Authentic Brands  
Group; ICON Health & Fitness, Inc. and  
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Direct Dial: (313) 983-4919

Dated: March 24, 2022

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